

**OPTOMETRY EXAMINING BOARD
MINUTES
October 21, 2004**

MEMBERS PRESENT: Gregory Foster, Kerry Griebenow, Leon Griffin, Raymond Heiser, Kathi Leach, Lynne LeCount, Richard Wright, and Swaminat Balachandran (Observed)

MEMBER EXCUSED: None

STAFF PRESENT: Kimberly Nania, Ph.D., Director of Health Service Professions; Ruby Jefferson-Moore, Legal Counsel; Gina York, Bureau Assistant; and other Department staff

GUESTS: Peter Theo, WOA

CALL TO ORDER

Vice Chair Leon Griffin called the meeting to order at 10:18 a.m. A quorum of seven members was present. Dr. Swaminat Balachandran will be observing and will be allowed to participate in discussions at today's meeting.

APPROVAL OF AGENDA

Additions to the Agenda:

- Open Session: Add under Item G. Add FYI: Correspondence Regarding Optometry Scope of Practice in Oklahoma Appointment of Screening Panel Committee and FYI: Advertisement Regarding Contact Lenses
- Open Session: Add Item H. Report of the Statutes and Rules Committee
- Open Session: Under Other Business – Add Announcement by Lynne LeCount

MOTION: Kerry Griebenow moved, seconded by Kathi Leach, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 22, 2004

Amendments to the Minutes:

- Page 4: Under Visitor Comments - Change “Rick” to “Vick”
- Page 4: Under Closed Session – Motion to allow Gregory Foster to sit in on closed session at the last meeting, contact minute taker for that meeting.

MOTION: Ray Heiser moved, seconded by Gregory Foster, to approve the July 22, 2004 minutes as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Strong Hill has resigned and is leaving the Department on 10/22/04. The Deputy Secretary, Sandra Rowe, will be the acting Secretary until a new appointment is made. The building is still under renovation and the target date has been extended to sometime next year for staff to start moving into the new area. Kimberly Nania has been appointed as the new Division Administrator of Board Services.

The Department will be looking at ways to be more efficient and at cutbacks for the next Budget. Dr. Nania shared that the Department has been conducting a time study over the last year. All staff reflects the amount of time and tasks being spent per profession, section and/or board. This data is being collected to analyze if an increase in licensing fees will be needed.

Dr. Nania informed new members the following items: 1) be careful of creating a walking quorum; 2) the process for ensuring meeting quorums; and 3) review of hotel room policy.

2005 BOARD MEETING DATES

The Board reviewed the list of 2005 meeting dates at today’s meeting.

MOTION: Ray Heiser moved, seconded by Kathi Leach, to approve the 2005 meeting dates as provided. Motion carried unanimously.

APPOINTMENT OF CREDENTIALING LIAISON

The Board discussed the purpose of having a designated credentialing liaison and took the following action.

MOTION: Richard Wright moved, seconded by Kerry Griebenow, to designate Leon Griffin as the credentialing liaison for the Optometry Examining Board. Motion carried unanimously.

REVIEW OF BOARD ROSTER FOR DATABASE

The Board reviewed the database roster submitted by Roxanne Peterson. This roster information will be used for a DRL database being created by her. The revisions indicated by the Board at today's meeting will be forwarded to Ms. Peterson to make the appropriate corrections.

PRESENTATION OF PROPOSED STIPULATIONS

None.

PRESENTATION OF PROPOSED STIPULATIONS SIGNED AFTER THE MAILING OF AGENDA

None.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

Ruby Jefferson-Moore reviewed the summary reports with the Board at today's meeting. Also a copy of the emergency rule regarding criminal background checks for applicants was provided to the Board.

DISCUSSION REGARDING LICENSURE BY ENDORSEMENT

The Board had a discussion at today's meeting regarding licensure by endorsement. Peter Theo, WOA, stated at a former meeting that the Wisconsin Optometric Association (WOA) already has standards regarding endorsement and would share them with the Board at today's meeting. Mr. Theo, was unable to have his office fax them at this time and will have this information e-mailed to Kimberly Nania, Bureau Director of Health Service Professions, for the March 2005 meeting of the Board.

SET STANDARDS FOR CE COURSE APPROVALS

Barbara Showers, Office of Education and Examinations, refreshed the Board on the conversation that occurred at the last meeting and the dilemma surrounding acceptable CE courses. The Board requested to have this topic placed on the agenda to discuss and develop standards for approving CE courses for Optometry. The main concern expressed at the last meeting was one of quality assurance.

At the July 22, 2004 meeting, Dr. Griebenow and Dr. Foster were designated as the CE liaisons for the Board to deal with this issue. After some discussion, it was decided that DRL would change the form to indicate whether the course is COPE approved. All paperwork will go

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through Gail Pizarro in the Office of Education and Examinations. A copy of the final approval will be kept by this office for reference. The Board agreed with this procedure and wanted to designate an additional CE liaison to assist Dr. Showers and her staff in compiling this file of approved courses. The Board took the following action.

MOTION: Kerry Griebenow moved, seconded by Richard Wright, to designate Kathi Leach as the other CE liaison for approval of CE courses. Motion carried unanimously.

UPDATE ON CE AUDITS WITH LYDIA BRIDGE

Lydia Bridge and Barbara Showers, Office of Education and Examinations, provided an update on the recent CE audit conducted for the Board. There was a brief discussion regarding whether to allow an extension and the Board took the following action.

MOTION: Kerry Griebenow moved, seconded by Kathi Leach, to extend compliance for the CE audit until November 8, 2004. After that date all non-compliant individuals will be turned over to DOE. Motion carried unanimously.

INFORMATIONAL ITEMS

The Board reviewed and discussed correspondence and information received from SECO International, AOA, ARBO, State of Oklahoma, and one advertisement at today's meeting. All information was noted and there were no actions necessary regarding these items.

REPORT OF THE STATUTES AND RULES COMMITTEE

Kerry Griebenow reported to the Board that the Statutes and Rules Committee made additional revisions to the draft of proposed rules regarding Chapters OPT 5 and 6, of the Wisconsin Administrative Code. Attorney Jefferson-Moore will complete the revisions indicated by the Committee at today's meeting and will provide another draft for the Committee to review at their next meeting. Upon completion of the Committee report the Board took the following action(s).

MOTION: Kerry Griebenow moved, seconded by Greg Foster, to approve the changes to the rules as recommended by the Statutes and Rules Committee and to forward it to Department staff to schedule a public hearing. Motion carried unanimously.

MOTION: Kerry Griebenow moved, seconded by Kathi Leach, to recommend that the new rules be effective beginning January 1, 2006. Motion carried unanimously.

MOTION: Kathi Leach moved, seconded by Richard Wright, to designate Kerry Griebenow to make any additional changes to the rules with consultation with Legal Counsel. Motion carried unanimously.

VISITOR'S COMMENTS

Peter Theo, WOA, shared that changes will be reintroduced regarding Chapter 449 and a draft will be provided to the Board by its next meeting scheduled for March 2005.

CONVENE TO CLOSED SESSION

MOTION: Lynne LeCount moved, seconded by Ray Heiser, to allow Swaminat Balachandran to sit in on closed session. Motion carried unanimously.

MOTION: Richard Wright moved, seconded by Kathi Leach, to adjourn to closed session pursuant to Wisconsin Statutes 19.85(1)(a)(b)(f) and (g), deliberate on monitoring cases; deliberate on proposed stipulations, deliberate on administrative warnings, review DOE cases, and, consult with legal counsel. Roll Call Vote: Gregory Foster-yes; Kerry Griebenow-yes; Leon Griffin-yes, Raymond Heiser-yes, Kathi Leach-yes, Lynne LeCount-yes, Richard Wright-yes. Motion carried unanimously.

Open session recessed at 12:18 p.m.

CONVENE TO OPEN SESSION

MOTION: Kathi Leach moved, seconded by Richard Wright, to reconvene to open session. Motion carried unanimously.

Open session reconvened at 12:36 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

DELIBERATION OF MONITORING THAT MAY BE RECEIVED AFTER

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THE MAILING OF THE AGENDA

None.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED
AFTER MAILING OF AGENDA**

None.

**DELIBERATION OF ADMINISTRATIVE WARNINGS ISSUED AFTER THE
MAILING OF AGENDA**

None.

DIVISION OF ENFORCEMENT CASE STATUS REPORT

MOTION: Greg Foster moved, seconded by Kathi Leach, to close case
04 OPT 010 for prosecutorial discretion. Motion carried
unanimously.

Jack Zwieg consulted with the Board on how they wish cases to be handled that are currently in
DOE for non-compliance of CE. Kimberly Nania will look at the affidavit wording to ensure
consistency.

OTHER BOARD BUSINESS

Lynne LeCount announced to the Board that her term is up and she has turned in her resignation
which will be effective after the adjournment of today's Board meeting. The Board shared their
gratitude for her contributions. Ms. LeCount shared she will miss everyone and wishes the Board
well in their future goals.

ADJOURNMENT

MOTION: Lynne LeCount moved, seconded by Raymond Heiser, to adjourn the
October 21, 2004 meeting at 12:38 p.m. Motion carried unanimously.

Next Meeting

March 3, 2005